

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

BRITTANY BALL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 3:14-cv-00770-TLW
	)	
PAUL ALLEN DERRICK, <i>individually</i>	)	
<i>and as a Deputy Sheriff for the County of</i>	)	
<i>Richland</i> ; LEON LOTT, <i>Sheriff of Richland</i>	)	
<i>County</i> ; RICHLAND COUNTY SHERIFFS	)	
DEPARTMENT; and RICHLAND	)	
COUNTY, SC,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

Plaintiff Brittany Ball brought this action alleging constitutional violations and state law causes of action in relation to her allegedly unlawful arrest and detention in October 2013. (Doc. #1-1). Plaintiff names as defendants the Richland County Sheriffs Department, Richland County, Richland County Sheriff Leon Lott, and Richland County Sheriff's Deputy Paul Allen Derrick. Defendants Lott, Richland County, and Richland County Sheriffs Department filed a motion for summary judgment on March 2, 2015. (Doc. #67). Defendant Derrick did the same the following day. (Doc. #69). On March 19, Plaintiff filed motions for extensions of time in which to respond to the summary judgment motions. (Doc. #76, 78). United States Magistrate Judge Paige J. Gossett, to whom this case was assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), (D.S.C.), granted the motions and extended the deadline to April 3 and 4, 2015. (Doc. #79). Despite this extension of time, Plaintiff failed to comply with the Court's deadline.

On April 7, 2015, the Magistrate Judge entered an Order directing Plaintiff to advise the Court whether she wished to continue with this case and to respond to the summary judgment motions within seven days. (Doc. #87). The Magistrate Judge warned Plaintiff that failure to do so could result in dismissal of this action with prejudice for failure to prosecute. Id. On April 10, Plaintiff filed motions for an extension of time in which to file her responses. (Doc. #90, 91). The Magistrate Judge granted the motions the same day, extending the deadline to April 23. (Doc. #93). Plaintiff again failed to comply with the Court's deadline.

This matter is now before the Court for review the Report and Recommendation (the "Report") filed by the Magistrate Judge on April 24, 2015. (Doc. #97). The Magistrate Judge recommends dismissing this action with prejudice for failure to prosecute based on Plaintiff's failure to respond to the summary judgment motions despite the two extensions of time and the Court's warning in its April 7 Order. Id. Plaintiff's objections to the Report were due by May 12, 2015. Two months have now passed since the Magistrate Judge issued the Report. Plaintiff has failed to file objections, and this matter is ripe for review.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

In light of this standard, the Court has carefully reviewed the Report as well as this case's procedural history, and it concludes that the Magistrate Judge accurately summarizes the case and the applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #97). For the reasons articulated by the Magistrate Judge, this case is **DISMISSED** with prejudice as to all Defendants for failure to prosecute. Defendants' pending motions for summary judgment are deemed **MOOT**. (Doc. #67, 69).

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Terry L. Wooten  
Chief United States District Judge

June 24, 2015  
Columbia, South Carolina